

**Z&P** - Your Committee, concurs in the recommendation of the Planning Commission granting the application submitted by Dan Moll with ATS&R Architects & Engineers, on behalf of Minneapolis Public Schools, to vacate the utility easement that extends through vacated Beard Ave S located at 3414 47th Ave W (Vac-1633), subject to the retention of easement rights by CenturyLink, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

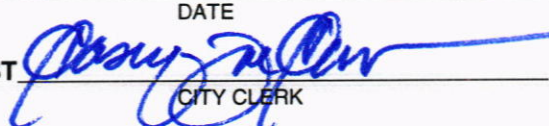
Your Committee further recommends passage of the accompanying resolution vacating said utility easement.

Certified as an official action of the City Council: 

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Reich	X						Glidden	X					
Gordon	X						Cano	X					
Frey	X						Bender	X					
B Johnson	X						Quincy	X					
Yang	X						A Johnson	X					
Warsame	X						Palmisano	X					
Goodman	X												

ADOPTED APR 17 2015

☒ APPROVED ☐ NOT APPROVED ☐ VETOED

ATTEST   
CITY CLERK

 APR 20 2015  
MAYOR HODGES DATE

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2015R- 172  
**RESOLUTION**  
**of the**  
**CITY OF**  
**MINNEAPOLIS**  
By Bender

**Petition to vacate the utility easement that extends through vacated Beard Avenue South (Vacation 1633).**

Resolved by The City Council of The City of Minneapolis:

A perpetual easement for the installation, operation, maintenance, repair and reconstruction of public sewers and public water mains with the necessary appurtenances thereto, in, to, upon, over, across, under and through the East twenty (20) feet of the West one-half and the West fifteen (15) feet of the East one-half of that part of Beard Avenue South as originally constituted, now vacated, lying between the North line of West 47<sup>th</sup> Street and the Southerly segment of the circle described for the easement in Paragraph (1) as recorded in the Easement Deed recorded in Hennepin County as Document 3636910, together with the right of reasonable access to said public sewers and water mains for the purpose of inspecting, repairing and maintaining the same, providing that the said party of the first part shall have the right to use the ground surface of the easement herein granted for any use not inconsistent with said easement and which will not interfere with normal use of said easement by the City of Minneapolis; however, no structures of a permanent nature shall be constructed, erected or maintained thereon without the written approval of the City Engineer as to the plans thereof is hereby vacated except that such vacation shall not affect the existing authority of CenturyLink, their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporations as follows, to wit:

CenturyLink, subject to an easement over the entire area to be vacated.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said easement upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.

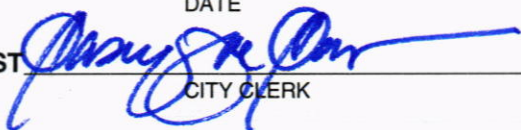
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B Johnson	X						Quincy	X					
Yang	X						A Johnson	X					
Warsame	X						Palmisano	X					
Goodman	X												

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